

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

RENNE M. LEES,

Civil No. 06-2238 (JRT/JJG)

Plaintiff,

v.

ORDER

MICHAEL J. ASTRUE,

Defendant.

Sean M. Quinn, **FALSANI BALMER PETERSON QUINN & BEYER**, 306 Superior Street West, Suite 1200, Duluth, MN 55802 for plaintiff.

Lonnie F. Bryan, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, Minnesota 55415, for defendant.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

- A. The Plaintiff's Motion for Summary Judgment [Docket No. 6] is **DENIED**.
- B. The Defendant's Motion for Summary Judgment [Docket No. 10] is
GRANTED.
- C. This case is **DISMISSED WITH PREJUDICE**.

DATED: August 23, 2007
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge